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ADOPTED
APRIL 5, 1990

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: LINDA BOURQUE, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
GAY FORBES, DEPUTY DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Recommendations on 17 zoning petitions have been prepared by
Authority staff for transmittal to the Board of Appeal.

<u>Neighborhoods</u>	<u>Approval</u>	<u>Recommendations</u>		<u>Deferral</u>
		<u>Denial</u>	<u>Denial w/o Prejudice</u>	
Allston-Brighton	1	1		
Back Bay				
Beacon Hill				
Charlestown				
Chinatown				
City Proper				
Dorchester	2	1		
East Boston		1		
Fenway				
Government Center				
Hyde Park				
Jamaica Plain	1			
Kenmore				
Mattapan		1		1
North End				
Roslindale	2		1	
Roxbury	2			
South Boston	3			
South Cove				
South End				
West Roxbury				

Allston-Brighton

Approval Z-13305. 47-49 Newcastle Road, replace roof, dormers.
Denial Z-13645. 34 Pratt Street, professional office.

Dorchester

Approval Z-13623. 123 Stoughton Street, two-family dwelling.
Approval Z-13632. 58 Erie Street, two-family dwelling.
Denial Z-13649. 85-87 Fuller Street, four apartments.

East Boston

Denial Z-13626. 9 Gladstone Street, three-family dwelling.

Jamaica Plain

Approval Z-13195. 31 Ballard Street, three-family dwelling.

Mattapan

Denial Z-13618. 601 Cummins Highway, sale of used cars.
Deferral Z-13642. 67 Standard Street, addition.

Roslindale

Approval Z-13617. 65 Ardale Street, dormer.
Denial without Prejudice Z-13627-13628. 640 Hyde Park Avenue, sale of used cars.
Approval Z-13636. 301 Poplar Street, rear deck addition.

Roxbury

Approval Z-13584. 47-49 Newmarket Square, warehouse.
Approval Z-13825 & 13853. 246-246R Seaver Street, group home.

South Boston

Approval Z-13484. 57 L Street, gas station alterations.
Approval Z-13650-13651. 7-9 Acadia Street, two-family dwellings.
Approval Z-13753. 592-600A East Broadway, two apartments, offices.

BOARD OF APPEAL REFERRALS

APRIL 5, 1990

1. Z-13195	4/17/90	31 Ballard Street, Jamaica Plain
2. Z-13305	4/17/90	47-49 Newcastle Road, Brighton
3. Z-13484	4/17/90	57 L Street, South Boston
4. Z-13584	4/17/90	54 Newmarket Square, Roxbury
5. Z-13617	4/17/90	65 Ardale Street, Roslindale
6. Z-13618	4/17/90	601 Cummins Highway, Mattapan
7. Z-13623	4/17/90	123 Stoughton Street, Dorchester
8. Z-13626	4/17/90	9 Gladstone Street, East Boston
9. Z-13627-13628	4/17/90	640 Hyde Park Avenue, Roslindale
10. Z-13632	4/17/90	58 Erie Street, Dorchester
11. Z-13636	4/17/90	301 Poplar Street, Roslindale
12. Z-13642	4/17/90	67 Standard Street, Mattapan
13. Z-13645	4/17/90	34 Pratt Street, Allston
14. Z-13649	4/17/90	85-87 Fuller Street, Dorchester
15. Z-13650-13651	4/17/90	7-9 Acadia Street, South Boston
16. Z-13753	4/17/90	592-600A East Broadway, South Boston
17. Z-13825-13853	4/17/90	246-246R Seaver Street, Roxbury

Board of Appeal Referrals

3/5/90

Hearing: 4/17/90 Z-13195
Mitchell Kur
31 Ballard Street
Jamaica Plain

Site: 2 1/2 story structure

District(s): Residential, three-family (R-.8)

Purpose: Change occupancy from two- to three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area, open space.

VOTED: In reference to petition Z-13195, Mitchell Kur, 31 Ballard Street, Jamaica Plain, for forbidden use and two variances for change of occupancy from two- to three-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends Approval. Change in occupancy would reflect a condition that has existed for the past ten years. Board of Appeal granted a variance for the same request by a previous owner in 1983, however, permit process was not resumed. Authority had recommended approval. Jamaica Plain Zoning Committee is not opposed.



Z-13195

31 BALLARD STREET JAMAICA PLAIN

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13305
David Walsh
47-49 Newcastle Road
Brighton

Site: 2 1/2 story structure

District(s): Residential, two-family (R-.5)

Purpose: Replace roof and dormers

Violation(s): Insufficient side yard

VOTED: In reference to petition Z-13305, David Walsh, 47-49 Newcastle Road, Brighton, for variance to replace roof and dormers in a residential (R-.5) district, the Boston Redevelopment Authority recommends Approval. Proposed replacement roof, which is already substantially complete will repair damage to the building caused by fire. New roof is in character with neighborhood structures and is consistent with the design of the rest of appellant's building.



Z-13305

47-49 NEWCASTLE ROAD, BRIGHTON

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13484
Exxon Co. U.S.A.
57 L Street
South Boston

Site: Gas Service Station

District(s): Apartment (H-1-50)

Purpose: Erect new signs; remodel islands and pumps;
regrade site.

Violation(s): At variance with previous Board of Appeal
decision.

Extension of non conforming use.

Excessive sign size.

VOTED: In reference to petition Z-13484, Exxon Co. U.S.A, 57 L Street, South Boston, for extension of non conforming use, conditional use and variance to erect new signs, remodel islands and pumps and regrade site in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends Approval with proviso that plans be submitted to the Authority for design review approval. Site is an existing full-service gas station located at the corner of L and East Third Streets. Plans reflect an upgrading of the site including landscaping, fencing, and the reduction of signs from two to one. The relocated sign will lessen the impact on the adjacent residential neighborhood.



CHRISTOPHER J. LEE PLAYGROUND

INDEPENDENCE SQUARE

EAST

FOURTH

FIFTH

SIXTH

2-13484

57 L STREET, SOUTH BOSTON

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13584
W.W. Grainger, Inc.
54 Newmarket Square
Roxbury

Site: vacant land

District(s): Industrial (I-2)

Purpose: Erect warehouse structure with accessory office.

Violation(s): Insufficient off street parking.

VOTED: In reference to petition Z-13584, W.W. Grainger, Inc., 54 Newmarket Square, Roxbury, for variance to erect warehouse structure with accessory office in an industrial (I-2) district, the Boston Redevelopment Authority recommends Approval with proviso that plans be submitted to the Authority for design review approval. Proposal is consistent with the Newmarket Business District. Appellant has revised plans to correct all apparent violations. Architectural Access Board has reviewed plans and project complies with barrier free access.



Z-13584

54 NEWMARKET SQUARE, ROXBURY

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13617
Eugene McCarthy
65 Ardale Street
Roslindale

Site: 2 1/2 story structure

District(s): Residential, two-family (R-.5)

Purpose: Erect dormer addition

Violation(s): Insufficient front yard.

VOTED: In reference to petition Z-13617, Eugene McCarthy, 65 Ardale Street, Roslindale, for variance to erect dormer addition in a residential (R-.5) district, the Boston Redevelopment Authority recommends Approval. Yard violation will not be increased. Existing community support.



Z-13617

65 ARDALE STREET, ROSLINDALE

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13618
Roscoe Gorham
601 Cummins Highway
Mattapan

Site: One story structure

District(s): Single-family (S-.5)

Purpose: Use premises for sale and display of twelve used cars.

Violation(s): Outdoor sale and display of used cars is forbidden use.

Off street parking not allowed in front yard nor within five feet of side lot line.

VOTED: In reference to petition Z-13618, Roscoe Gorham, 601 Cummins Highway, Mattapan, for forbidden use and variance for sale and display of twelve used cars in a single family (S-.5) district, the Boston Redevelopment Authority recommends Denial. Cummins Highway is under consideration as a Boulevard Planning District in the proposed Mattapan Interim Planning Overlay District. Existing Auto Beauty Salon use provides sufficient off street parking. Additional automotive use is undesirable and would adversely affect surrounding properties which are one- and two-family residential.



z-13618

601 CUMMINS HIGHWAY, MATTAPAN

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13623
Jennifer M. Watkins and
Chris E. Chesterman
123 Stoughton Street
Dorchester

Site: Three story structure

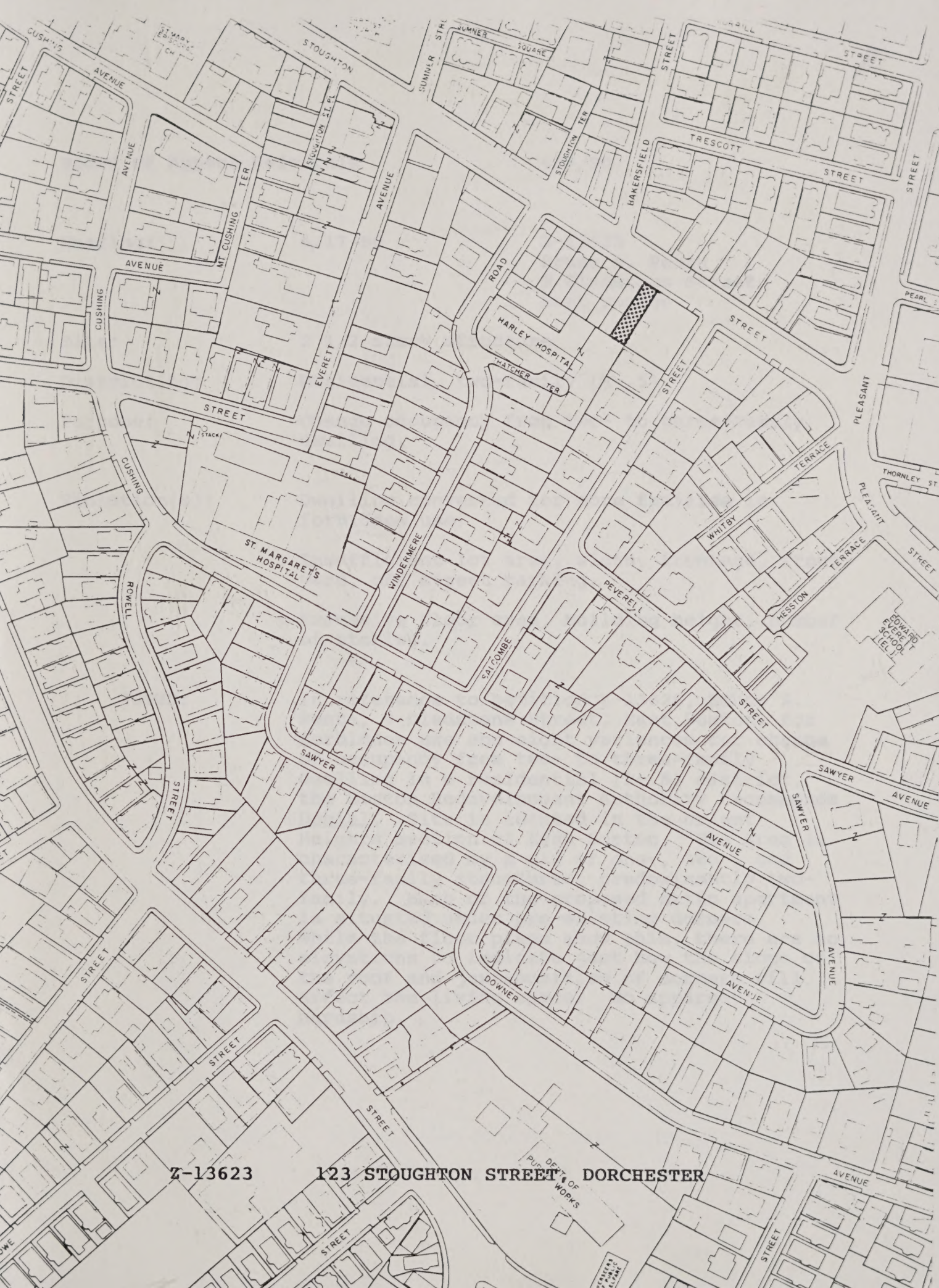
District(s): Residential, three-family (R-.8)

Purpose: Change occupancy from one- to two-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area.

VOTED: In reference to petition Z-13623, Jennifer M. Watkins and Chris E. Chesterman, 123 Stoughton Street, Dorchester, for forbidden use and variance for change of occupancy from one- to two-family dwelling in a residential and local business (R-.8 & L-.5) districts, the Boston Redevelopment Authority recommends Approval. No adverse affects. Appellant has submitted petition containing signatures of eight neighborhood residents in support of proposal.



Z-13623

123 STOUGHTON STREET, DORCHESTER

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13626
Bruce A. Penta
9 Gladstone Street
East Boston

Site: 2 1/2 story structure

District(s): Residential, two-family (R-.5)

Purpose: Change occupancy from two- to three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area, width, frontage, front yard, off street parking.

Excessive floor area, building height, number of stories.

VOTED: In reference to petition Z-13626, Bruce A. Penta, 9 Gladstone Street, East Boston, for forbidden use and eight variances for change of occupancy from two- to three-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends Denial. Site is located in the Orient Heights section of East Boston. The area is characterized by a mix of one-, two-, and three-family structures, predominantly two-family. Much of the proposed attic apartment is situated under pre-existing dormers. While the floor plans show this, there are no elevations to indicate just how the slope of the roof and juxtaposition of dormers will affect the living space. No apparent hardship.



Z-13626

9 GLADSTONE STREET, EAST BOSTON

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13627 & Z-13628
Gerardo Lo Pilato
640 Hyde Park Avenue
Roslindale

Site: One story structure

District(s): Residential, two-family (R-5)
Local business (L-5)

Purpose: Change occupancy from lubritorium to same,
gas service station and repair garage; use
premises for outdoor sale of used cars.

Violation(s): Change in non conforming use.
Outdoor sale of used cars is forbidden use.

VOTED: In reference to petition Z-13627 & Z-13628,
Gerardo Lo Pilato, 640 Hyde Park Avenue,
Roslindale, for change of non conforming use
and forbidden use for change of occupancy
from lubritorium to same, gas service
station, repair garage, and use premises for
sale of used cars in a residential and local
business (R-.5 & L-.5) districts, the Boston
Redevelopment Authority recommends Denial
without prejudice for sale of used cars. A
similar lot exists directly opposite site;
additional use is unwarranted in this
neighborhood. Authority recommends Approval
with proviso for change of occupancy to
lubritorium, gas station, repair garage.
Plans with particular respect to landscaping
along Canterbury Street and Hyde Park Avenue
must be submitted to the Authority for design
review approval. Hours of operation should
be restricted to standard day light hours; no
evening work should be performed.



Z-13627-13628

640 HYDE PARK AVENUE, ROSLINDALE

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13632
Antonio Sermedo
58 Erie Street
Dorchester

Site: 2 1/2 story structure

District(s): Residential, three-family (R-.8)

Purpose: Change occupancy from one- to two-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.
Insufficient lot area.

VOTED: In reference to petition Z-13632, Antonio Sermedo, 58 Erie Street, Dorchester, for forbidden use and variance for change of occupancy from one- to two-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends Approval. Property, part of the rebuild Boston program under PFD, has undergone significant rehabilitation and is a welcome improvement to this neighborhood of vacant homes and vacant land.



Z-13632

58 ERIE STREET, DORCHESTER

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13636
Emmet P. Nichols, Jr.
301 Poplar Street
Roslindale

Site: 2 1/2 story structure

District(s): Single-family (S-.5)

Purpose: Erect open deck addition

Violation(s): Extension of non conforming use.

VOTED: In reference to petition Z-13636, Emmet P. Nichols, Jr., 301 Poplar Street, Roslindale, for extension of non conforming use to erect open deck addition in a single family (S-.5) district, the Boston Redevelopment Authority recommends Approval with proviso that plans be submitted to the Authority for design review approval. Appellant should maintain existing five foot side yard.



Z-13636 301 POPLAR STREET, ROSLINDALE

CANTERBURY

Hearing: 4/17/90 Z-13642
Guy & Marie Jean Baptiste
67 Standard Street
Mattapan

Site: 2 1/2 story structure

District(s): Residential, two-family (R-.5)

Purpose: Erect dormer addition

Violation(s): Extension of non conforming use.

Excessive floor area, building height.

Insufficient side, rear yards.

VOTED: In reference to petition Z-13642, Guy & Marie Jean Baptiste, 67 Standard Street, Mattapan, for extension of non conforming use and four variances to erect addition in a dormer residential (R-.5) district, the Boston Redevelopment Authority recommends Deferral. Appellant has requested through the Mayor's Office of Neighborhood Services that the Zoning Board of Appeal Hearing be deferred. Mr. Jean-Baptiste is presently out of the country on work assignment. He has requested that the hearing be rescheduled to a date in May to allow him an opportunity to represent himself. Authority concern is that the work has already begun and is inconsistent with the character of the neighborhood. In addition, the application does not include the front porch enclosure. A licensed carpenter should be hired to restore the building to its original state.



Z-13642

67 STANDARD STREET, MATTAPAN

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13645
David E. Krock
34 Pratt Street
Allston

Site: 2 1/2 story structure

District(s): Residential, three-family (R-.8)

Purpose: Change occupancy from two-family dwelling to same and professional office.

Violation(s): Professional office is forbidden use.
Interim Planning Overlay District.

VOTED: In reference to petition Z-13645, David E. Krock, 34 Pratt Street, Allston, for forbidden use for change of occupancy from two-family dwelling to same and professional office in a residential (R-.8) Interim Planning Overlay District, the Boston Redevelopment Authority recommends Denial. Proposed real-estate management office in basement of a two-family dwelling in which appellant does not reside would represent a negative commercial encroachment on an established residential street. Property is located in an area that already serves a large student population and experiences heavy traffic and parking problems. Space on nearby commercially zoned avenues (Brighton and Commonwealth) is available to serve appellant's business needs without negatively impacting the residential character of the area.



Z-13645

34 PRATT STREET, ALLSTON

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13649
Immelda Green
85-87 Fuller Street
Dorchester

Site: Three story structure

District(s): Residential, three-family (R-.8)

Purpose: Change of occupancy from three to four
apartments.

Violation(s): Dwelling converted for more families is
forbidden use.

Insufficient lot area, off street parking.

Excessive floor area.

VOTED: In reference to petition Z-13649, Immelda
Green, 85-87 Fuller Street, Dorchester, for
forbidden use and three variances for change
of occupancy from three to four apartments in
a residential (R-.8) district, the Boston
Redevelopment Authority recommends Denial.
In this predominant three decker neighborhood
the introduction of more units is
inappropriate, would set a negative precedent
and intensify the already saturated parking
conditions. Basement is not 50% above
average grade. Proposed unit would be
substandard.



Z-13649

85-87 FULLER STREET, DORCHESTER

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13650 & Z-13651
James McCarthy
7-9 Acadia Street
South Boston

Site: Vacant land

District(s): Apartment (H-1-50)

Purpose: Erect two two-family dwellings

Violation(s): Off street parking not allowed in front yard
nor within five feet of side lot line.

Insufficient lot area, width, frontage, front
yard.

Excessive floor area ratio.

VOTED: In reference to petition Z-13650 & Z-13651,
James Acadia Street, South Boston, for
fourteen variances to erect two two-family
dwellings in an apartment (H-1-50) district,
the Boston Redevelopment Authority recommends
Approval. Design and siting are consistent
with adjacent properties. No apparent
negative impacts. Neighbors support.



CHRISTOPHER J LEE PLAYGROUND

INDEPENDENCE SQUARE

FOURTH

STREET

STREET

STREET

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EAST

EAST

N

Z

N

STREET

ACADIA

STREET

O

IDEAL 1
260'

SECOND

THIRD

Z-13650-13651

7-9 ACADIA STREET, SOUTH BOSTON

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13753
Albina O'Brient &
Carolyn Ryan
592-600A East Broadway
South Boston

Site: Two story structure

District(s): Local business (L-1)

Purpose: Change occupancy from one apartment and
offices to two apartments, offices, beauty
salon.

Violation(s): Dwelling converted for more families is
forbidden use.

Insufficient lot area, open space, barrier
free access.

VOTED: In reference to petition Z-13753, Albina
O'Brient and Carolyn Ryan, 592-600A East
Broadway, South Boston, for forbidden use and
three variances for change of occupancy from
one apartment and offices to two apartments,
offices, beauty salon in a local business (L-
1) district, the Boston Redevelopment
Authority recommends Approval with proviso
that plans for any exterior work be submitted
to the Authority for design review approval.
Existing condition for many years. No
apparent negative impact,



13753

592-600A EAST BROADWAY, SOUTH BOSTON

Board of Appeal Referrals

4/5/90

Hearing: 4/17/90 Z-13825 & Z-13853
Y.W.C.A.
246-246(R) Seaver Street
Roxbury

Site: 2 1/2 and 2 story structure

District(s): Apartment (H-1)

Purpose: Change occupancy from YWCA and day care center to temporary home for unwed mothers and from garage to ancillary offices.

Violation(s): Ancillary home and offices are conditional uses.

At variance with previous Board of Appeal decision.

Change in conditional use.

Insufficient off street parking.

Interim Planning Overlay District.

VOTED: In reference to petition Z-13825 & Z-13853, Y.W.C.A., 246-246(R) Seaver Street, Roxbury, for four conditional uses and four variances for change of occupancy from YWCA and day care center to temporary home for unwed mothers and from garage to ancillary offices in an apartment (H-1) Interim Planning Overlay District, the Boston Redevelopment Authority recommends Approval. Proposed project is located in the Washington Park South of the Roxbury Interim Planning Overlay District and is consistent with its goals and objectives. Planning and Zoning Advisory Committee has reviewed plans and voted support.



Z-13825-13853

246-246R SEAVER STREET, ROXBURY

BOSTON REDEVELOPMENT AUTHORITY

BOARD
OF
DIRECTORS
MEETING

APRIL 5, 1990

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